



Docket No. 35859.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Tohru FUSHIKI et al.

DATE: September 1, 2000

U.S. SERIAL NO.: 09/367,481

ART UNIT: 1651

FILED: August 13, 1999

EXAMINER: Coe, S.

FOR: ATHLETIC ENDURANCE INCREASING AGENT

BOX PCT

Assistant Commissioner of Patents  
Washington, D.C. 20231

AMENDMENT AND RESPONSE UNDER 37 C.F.R. 1.111

Sir:

In response to the USPTO Official Action of June 28, 2000, please reconsider the above-identified patent application in light of the following amendments and remarks.

IN THE CLAIMS:

Please cancel claims 32-39 without prejudice or disclaimer of the subject matter recited therein.

Please add the following new claims:

-- 40. The method of any one of claims 24-31 wherein the composition further comprises a food.

41. The method of claim 40, wherein the food is a confection, a drink, a sport food, a sport drink, a health food, a seasoning, a food ingredient, a noodle, a bakery food, a cereal food or a retort food. --

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